

# Robbins Geller Rudman & Dowd LLP

Evan J. Kaufman  
EKaufman@rgrdlaw.com

Atlanta  
Boca Raton

Melville  
New York

Philadelphia  
San Diego

San Francisco  
Washington, DC

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/8/10

September 1, 2010

VIA FACSIMILE

Hon. Richard J. Holwell  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 1950  
New York, NY 10007-1312

SEP - 2010

Re: *In Re: State Street Bank and Trust Co. Fixed Income Funds Investment Litigation,*  
1:08-md-01945-RJH  
*Ning Yu v. State Street Corporation, et al.*  
1:08-cv-08235-RJH (S.D.N.Y.)

Dear Judge Holwell:

We represent Lead Plaintiff Anatoly Alexander ("Plaintiff") in the above-referenced *Yu* action (08-cv-8235) and write on behalf of Plaintiff and the Independent Trustee defendants.<sup>1</sup> On August 27, 2010, the State Street defendants<sup>2</sup> filed a 30-page memorandum of law in support of their motion to dismiss Plaintiffs' Second Amended Complaint (the "Complaint"). On that same day, counsel for State Street wrote to the Court and requested, among other things, approval of a briefing schedule for their motion to dismiss agreed to by Plaintiff and State Street. Also on August 27, 2010, the Independent Trustees filed a separate motion to dismiss the Complaint.

Plaintiff and the Independent Trustees respectfully request that the Court approve an agreement reached between counsel for Plaintiff and the Independent Trustees regarding the briefing schedule for their motion to dismiss that is identical to the schedule agreed to by Plaintiff and State Street and is set forth below:

1. Plaintiff's response in opposition to the Independent Trustees Motion to Dismiss will be due on or before September 27, 2010; and

<sup>1</sup> The Independent Trustee defendants are Lynn L. Anderson, William L. Marshall, Steven J. Mastrovich, Patrick J. Riley, Richard D. Shirk, Bruce D. Taber and Henry W. Todd (collectively, the "Independent Trustees").

<sup>2</sup> The State Street defendants are State Street Corporation, State Street Global Advisors, SSGA Funds, Peter G. Leahy, James Ross and Mark E. Swanson (collectively, "State Street").

Robbins Geller  
Rudman & Dowd LLP

Hon. Richard J. Holwell  
September 1, 2010  
Page 2

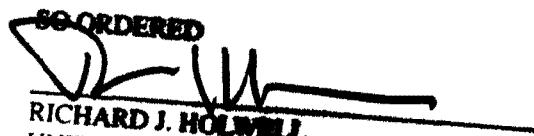
2. the Independent Trustees reply memorandum in support of their Motion to Dismiss will be due on or before October 18, 2010.

Respectfully submitted,



Evan J. Kaufman

cc: Jeffrey A. Berens  
Michael S. Hines  
Robert A. Skinner

SO ORDERED  
  
RICHARD J. HOLWELL  
UNITED STATES DISTRICT JUDGE  
9/7/10